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high water

a floodplain management newsletter

Volume 36

June 1989

Flood preparation and survival

The National Flood Insurance Program offers the following tips for persons living in flood-prone areas. To prepare for a flood:

- Itemize personal belongings to facilitate settling claims with an insurance adjuster or, in the case of uninsured losses, to prove losses for tax deductions.
- Learn safe routes from your home or place of business to high, safe ground should you be forced to evacuate.
- Keep portable radios and flashlights in working order with fresh batteries on hand.
- Persons who live in frequently flooded areas may want to keep on hand materials such as sand bags, plywood, plastic sheeting, and lumber to be used to protect property.
- Buy flood insurance. Flood insurance is available through the NFIP from most licensed property/casualty insurance agents. Generally there is a five day waiting period before the policy is effective, so don't wait until the flood arrives.

When the flood comes, be prepared to evacuate before flood waters reach your property. After a flood warning, or if flooding is imminent, take the following steps:

- Keep a battery operated radio tuned to a local station and follow all emergency instructions.
- If time permits, close the main gas valve and turn off the electricity at the main power supply switch. Do this only if the switch is in a dry area and it



Hidden dangers, such as washed out approaches, become obvious as the water recedes (Boulder River Flood, 1981).

is safe to do so.

- Move valuables to upper floors.
- Board up windows.
- If you're caught in the house by rapidly rising waters, move to upper floors or, if necessary, to the roof. Take warm clothing, a flashlight, and a portable radio.

Remember—floods are deceptive. It is difficult to walk through flowing water that is more than knee deep. Do not drive where water is over the road. Parts of the road may already be washed out. Two deaths resulted from persons attempting to drive

through floodwaters during 1986 floods in Montana. Even though a bridge with water flowing over it may appear safe, the approaches could be washed out, making it extremely hazardous to cross. If your car stalls in a flooded area, abandon it as soon as possible. Floodwaters can rise rapidly and sweep a car and its occupants away. Most deaths due to flooding occur when people attempt to walk or drive through water.

Persons who reside in flood prone areas may want to contact their county's disaster and emergency services coordinator to determine safe evacuation routes.

Montana Department of Natural Resources and Conservation

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Administrative Rules update

In the last issue of Highwater we mentioned that DNRC is in the process of preparing proposed amendments to the Administrative Rules for floodplain management, ARM 36.15.101 through 36.15.903. The Governor's Office has given clearance to proceed with rulemaking, and the Board of Natural Resources and Conservation has approved draft rules to be distributed for formal comment. A proposal to amend rules is anticipated to be published in the June 15 Administrative Register. The Administrative Register is published by the Secretary of State and is available at every county commissioners' office and at the public library in every

county seat. A hearing to consider the proposed rules is scheduled to be held before the Board on July 17, 1989 at 3:30 p.m. in the Board's Conference Room of the Lee Metcalf Building, 1520 East Sixth Avenue, in Helena.

If you have not already reviewed and commented on the proposed amendments, check the Administrative Register. Send any comments you wish to make to the Board of Natural Resources and Conservation, 1520 East Sixth Avenue, Helena, MT 59620-2301. The Board is the rulemaking authority as provided for in Section 76-5-208, MCA.

Lender's Lawsuits

Two East Coast lenders learned that overlooking the details of identified floodplains, flood insurance, and mortgages can embroil them in litigation. One savings bank in Connecticut lost a lawsuit and another in New Jersey is involved in a lawsuit brought by mortgagees who suffered uninsured flood damages to their homes. The basis for these lawsuits lies in the flood insurance purchase requirements placed on mortgage lenders by the Federal Disaster Protection Act of 1973. The act requires "the purchase of flood insurance by federally supervised, regulated, or insured agencies or institutions in the acquisition or improvement of land or facilities located or to be located in identified areas having special flood hazards."

The Connecticut savings bank relied on an appraiser's report which used an outdated flood map indicating a residence was not in a flood-hazard area. As a result, the bank did not inform the mortgagee that flood insurance was necessary on the residence. But a revised and updated flood map indicated the residence was in a flood-hazard area. The residence received flood damages, and the owners sued the bank and won an award of \$35,000.

Similarly, the New Jersey lawsuit stems from a bank's failure to inform the borrowers that their property was in a flood-hazard area. The 1976 flood map, valid at the time the loan was written, was updated after the loan was transacted. The plaintiffs in the case claim that the savings bank ignored information from a tax collector's map which showed the property as being in a "flood zone." Again, information on the appraisal report was a factor in the case. The appraisal report did

not mention the property's close location to a river. As a result, flood insurance was not purchased by the borrowers, and the property was flooded in 1984. A count of consumer fraud accompanies the negligence charge in this case. A decision in this lawsuit is pending.

Lending institutions need to be on the Federal Insurance Administration's mailing list to assure they have the most current information regarding flood maps and flood insurance program guidelines. Flood Insurance Rate Maps should be used to ensure compliance with the Flood Disaster Protection Act.

Real estate appraisers and registered land surveyors are able to determine whether a property is in or out of the floodplain for lending institutions. This determination is the responsibility of the lending institution and cannot be discharged by securing a self-certification from the borrower. The Federal Emergency Management Agency recommends that local floodplain administrators avoid making the flood zone determination for lenders, but they may provide assistance to lenders.

As a local floodplain administrator, you may want to visit with the loan officers of banks, savings and loans, credit unions, and mortgage companies active in your area to ensure they are familiar with the community Flood Insurance Rate Map. Educating loan officers and the appraisers they deal with will make your job as floodplain administrator easier.

Information for this article was obtained from the North Dakota State Water Commission newsletter Floodlines (May 1989).

CAP—The Community Assistance Program

In the previous issue of Highwater we featured a story on the Community Rating System that was introduced by the National Flood Insurance Program (NFIP) last year. Communities that qualify under the system are eligible for reduced premiums on flood insurance. One of the eligibility requirements is that the community must have had a successful Community Assessment Visit (CAV) within the past year.

A CAV is accomplished through the Community Assistance Program (CAP), which is funded by the Federal Emergency Management Agency. Through CAP, state governments receive federal grants to help their communities mitigate flood hazards and reduce flood losses. The main CAP objective is to help communities participating in the NFIP to achieve NFIP goals for flood loss reduction.

CAVs are conducted to identify floodplain management issues and to assess a community's performance in meeting NFIP requirements. With this assistance, a community can prevent or solve problems before they require enforcement actions.

In Montana, CAP is administrated by the Department of Natural Resources and Conservation (DNRC). Deeda Richard is the CAP officer at DNRC. Deeda has been meeting with officials from various Montana communities to discuss their involvement with the NFIP and to conduct CAVs. If you have any questions regarding CAP, or wish to request a CAV for your community, contact Deeda at DNRC, 1520 East Sixth Avenue, Helena, MT 59620-2301 or call 444-6646.

Floodplain Management Section Staff:

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Evaluating the flood hazard on subdivided land

Subdividing land is a popular real estate option in Montana, particularly as land along streams and rivers is developed for vacation homes. However, there are often definite flood hazards that may preclude subdividing such land. Floodplain administrators should be familiar with the requirements of two Montana laws, the Subdivision and Platting Act, Title 76-Chapter 3, MCA, and the Sanitation in Subdivisions Act, Title 76-Chapter 4, MCA. These laws specify that lands subject to flooding shall not be subdivided for building or residential purposes, or for other uses that may increase or aggravate flood hazards to life, health, or property.

To ensure compliance with these statutes, the Department of Health and Environmental Sciences and local planning boards conduct reviews of all subdivision proposals. Reviewers usually rely on floodplain maps provided by the Federal Emergency Management Agency, Soil Conservation Service, or the U.S. Army Corps of Engineers. Floodplains have been mapped for over 100 counties and municipalities in Montana; however, not all streams have been mapped.

When a subdivider proposes to divide a parcel or parcels where no mapping exists and the proposed subdivision lies within 2,000 horizontal or 20 vertical feet of a

stream, the subdivider is required to provide sufficient survey data to define the 100-year floodplain for that property. DNRC's floodplain management section will perform a flood-hazard evaluation for purposes of the subdivision review. The following information is required for the flood-hazard evaluation:

1. A copy of the plat showing location of streams, proposed building sites, and septic tanks or drainfields.
2. The location and elevation of a temporary benchmark established on the property or within the subdivision. If a permanent USC&GS benchmark is available nearby, it shall be referred to for the vertical datum and its location and elevation referenced on the plat.
3. A minimum of two cross sections of the stream is required for a single lot evaluation. More are required for multi-lot subdivision. Cross sections shall meet the following guidelines:
 - a. They shall include the stream channel and entire floodplain and be taken perpendicular to the direction of flow. The water level at the time of the survey shall be shown.

b. Cross section locations and the distance between them shall be referenced on the plat.

c. At least one of the cross sections must extend through the property for a single lot evaluation. The second cross section shall extend through the lot or be slightly downstream.

d. The cross sections shall be extended vertically an adequate distance to ensure they include the entire 100-year floodplain.

4. Color photographs clearly depicting the vegetation of both overbanks and the material composition of the banks and channel bottom shall be submitted for each cross section.

5. Descriptions and sketches of all bridges within the reach shall be included and their locations referenced on the plat.

6. Cross sections shall be plotted and all surveyed points labelled on graph paper of sufficient scale that the information is easy to read.

7. A location map, such as a U.S. Geological Survey topographic quad showing the subdivision location and cross section locations, shall be included.

National Weather Service increases service in Montana

The National Weather Service (NWS) has recently expanded its hydrology staff in Montana. When John Fassler, the NWS's hydrologist for Montana, retired from his post in Great Falls last summer, two hydrologists took his place. One continues to work out of Great Falls, serving the state east of the Continental Divide, and now a second hydrologist is stationed at the NWS office in Missoula to serve areas west of the divide.

The new contact at the NWS office in Missoula is Brenda Graham. Brenda has a degree in meteorology from the University of Washington and has been with the NWS for seven years. She has worked previously

in Alaska, Washington, Arizona, and most recently Oregon before coming to Montana in 1988.

All services provided in the past by Mr. Fassler are still available, including flood forecasts for major rivers and streams, water supply forecasts, and spring runoff forecasts. The NWS also maintains several river gauges as well as a weather observation network. The NWS can provide hydrologic information in advance for floodplain management and planning, or as a water-related disaster occurs. By assigning one hydrologist to each half of the state, the NWS hopes to respond more quickly with specific, up-to-date information.

If you have questions or need hydrologic assistance, contact the NWS directly.

west of the divide: Brenda Graham, NWS
5225 Hwy 10 West, Box 12
Missoula, MT 59801
Phone: 329-4840

east of the divide: Jeff Graham, NWS
2800 Terminal Drive
Great Falls, MT 59401
Phone: 453-2081

This article was contributed by Brenda Graham. She is not related to her counterpart in Great Falls.

Community floodplain management videocourse

On August 23, 1989, the Federal Insurance Administration is sponsoring a live, interactive, nationwide videocourse on floodplain management. The videocourse will be carried over the Emergency Education Network (EENET) beginning at 9:00 A.M. MDT.

The four and a half hour videocourse, entitled "Community Floodplain Management," is designed for floodplain management administrators, building codes officials, mayors, county commissioners,

land-use planners, zoning compliance officers, and conservation district members. Others who would find the program relevant include realtors, builders, developers, lenders, and insurance agents.

The broadcast will focus on the 'nuts and bolts' of floodplain management and will provide the viewer with information on flood maps, administrative procedures, and community assistance. The presenters will be local and state floodplain administrators and Federal Emergency Management

Agency staff who work with floodplain management on an everyday basis.

There will be ample time for viewers to phone the broadcast studio and talk directly with the program's presenters on the air. Questions on issues relating to local ordinances or any aspect of floodplain management are encouraged and will be answered during the call-in segments.

The EENET broadcasts can be received at the State Disaster and Emergency Services Division in Helena and the Fire Services Training Center in Great Falls. Individuals with a satellite dish receiver can pick up the signal from either of two satellites.

More information on how to access EENET broadcasts may be obtained by calling (301) 447-1068. A videotape of the course will be available from the Floodplain Management Section of DNRC sometime following the August 23 telecast.

	C-Band:	KU-Band:
Satellite:	Spacenet I, Transponder 1	G Star I-Transponder 12
Downlink Frequency:	3720 MHz	11927 MHz
Audio Frequency:	6.2/6.8 MHz	6.2/6.8 MHz
Location:	120W	120W
Channel:	1	
Secondary Transponders:	4	

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